

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

MARK ALAN BYRD (142221), *
*
Plaintiff, *
*
VS. * **2:08-cv-244-MHT**
*
WARDEN K. JONES, et al, *
*
Defendants. *

MOTION FOR AN ENLARGEMENT

COMES NOW the defendants **Warden Kenneth Jones, Warden Sandra Giles, Officer Willie Byrts, Sergeant Henry Ruffin, Officer Michael Holcey, and Officer Jackie Pettway**, by and through *Bettie J. Carmack*, Assistant Attorney General for the State of Alabama, and moves this Honorable Court to extend the time allocated for it to respond to this Court's order dated April 7, 2008 and, for ground, states as follows:

Defense counsel is still in the process of obtaining affidavits from the defendants.

WHEREFORE PREMISES CONSIDERED, the defendants request the following from this Honorable Court:

- A. Grant a twenty (20) day extension for the defendants to file their answer and special report.
- B. Any other and further relief in which the defendants may be entitled.

RESPECTFULLY SUBMITTED, this the 16th day of May 2008.

TROY KING (KIN-047)
ATTORNEY GENERAL
By:

/s/ *BETTIE J. CARMACK*
Bettie J. Carmack (CAR-132)
Assistant Attorney General
Civil Litigation Division
11 South Union Street
Montgomery, AL 36130
Telephone: (334) 353-5305
Facsimile: (334) 242-2433

CERTIFICATE OF SERVICE

This is to certify that I have on this **16th** day of **May, 2008**, served copies of the foregoing *Answer and Special Report* upon the plaintiff by depositing same in the United States Mail, addressed as follows:

Mark Alan Byrd
AIS # 142221
Bullock Correctional Facility
P. O. Box 5107
Union Springs, AL 36089

/s/ *BETTIE J. CARMACK*
Bettie J. Carmack (CAR -132)
ASSISTANT ATTORNEY GENERAL